

Eric C. Rassbach (CA SBN 288041)  
Mark L. Rienzi (DC Bar No. 494336)\*  
Daniel L. Chen (CA SBN 312576)  
Laura Wolk Slavis (DC Bar No. 1643193)\*  
Jordan T. Varberg (DC Bar No. 90022889)\*  
Amanda G. Dixon (DC Bar No. 90021498)\*  
Reed M. Bartley (TX Bar No. 24125115)\* ‡  
The Becket Fund for Religious Liberty  
1919 Pennsylvania Ave. NW, Suite 400  
Washington, DC 20006  
202-955-0095 tel. / 202-955-0090 fax  
erassbach@becketfund.org

Paul D. Clement (DC Bar No. 433215)\*  
Erin E. Murphy (DC Bar No. 995953)\*  
Matthew D. Rowen (CA SBN 292292)  
Clement & Murphy, PLLC  
706 Duke Street  
Alexandria, VA 22314

Elliot Moskowitz (NY Bar No. 4039160)\*  
Marc J. Tobak (NY Bar No. 4717336)\*  
Adam M. Greene (NY Bar No. 5812169)\*  
Davis Polk & Wardwell LLP  
450 Lexington Avenue  
New York, NY 10017

*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

YITZCHOK FRANKEL *et al.*,  
Plaintiffs,  
v.  
REGENTS OF THE UNIVERSITY  
OF CALIFORNIA *et al.*,  
Defendants.

Case No.: 2:24-cv-04702

**DECLARATION OF ADAM M.  
GREENE IN SUPPORT OF  
JOINT STIPULATION TO  
MODIFY CASE SCHEDULE**

Judge: Hon. Mark C. Scarsi

\*Admitted *pro hac vice*. ‡Not admitted to the D.C. Bar; admitted only in Texas. Supervised by licensed D.C. Bar members.

I, Adam M. Greene, declare as follows:

1. I am an associate at Davis Polk & Wardwell LLP and am one of the attorneys representing Plaintiffs in the above-captioned action. I submit this Declaration in support of Plaintiffs Yitzchok Frankel, Joshua Ghayoum, Eden Shemuelian, and Dr. Kamran Shamsa (“Plaintiffs”) and Defendants Michael V. Drake, Gene D. Block, Darnell Hunt, Michael Beck, Monroe Gorden, Jr., Rich Braziel, and the Regents of the University of California<sup>1</sup> (“Defendants,” and together with “Plaintiffs,” the “Parties”) Joint Stipulation to Modify Case Schedule. I have personal knowledge of the contents of this declaration.

2. The Court entered a Schedule of Pretrial and Trial Dates (the “Case Schedule”) on December 18, 2024, (ECF No. 114 at 3).

3. The Case Schedule included the following dates and deadlines:

<u>Case Deadline</u>	<u>Existing Schedule</u>
Non-expert discovery cut-off	8/4/25
Deadline to file Rule 56 motions	8/4/25
Expert disclosure (initial)	8/18/25
Expert disclosure (rebuttal)	8/25/25
Expert discovery cut-off	9/8/25
Last day to hear motions	9/8/25
Trial filings (first round)	11/10/25
Trial filings (second round)	11/17/25

<sup>1</sup> By operation of Fed. R. Civ. P. 25(d), Julio Frenk and Steve Lurie have been substituted into the matter in their official capacities as Chancellor of the University of California Los Angeles and Assistant Vice Chancellor of the University of California Los Angeles, respectively. The roles were previously held by Mr. Block and Mr. Braziel.

1	Final Pretrial Conference	12/1/25
2	Jury Trial	12/16/25

3  
4       4. The parties have been actively engaged in fact discovery,  
5 including the service of substantial productions of documents,  
6 communications, and other electronically stored information.

7       5. Recent rulings by Magistrate Judge Donahue at a June 4,  
8 2024 discovery conference and subsequent compromises resolving  
9 disputes among the Parties as to the scope of document discovery have  
10 necessitated that the parties engage in the ongoing collection, review,  
11 and production of a significant volume of additional material.

12       6. The Parties agree that it would be most productive to  
13 commence depositions after additional material is produced.

14       7. The Parties are simultaneously engaging cooperatively in the  
15 scheduling of depositions.

16       8. Certain scheduling difficulties have arisen given that the  
17 individuals that the Parties intend to depose include a professor and an  
18 undergraduate student traveling abroad during the summer recess, two  
19 law students actively studying for the California bar exam to be  
20 administered on July 29, 2025 and July 30, 2025, and individuals no  
21 longer subject to Defendants' control.

22       9. The existing Case Schedule sets the non-expert discovery cut-  
23 off on the same day as the deadline to file Rule 56 motions and prior to  
24 all deadlines for expert disclosures, meaning that the Parties would  
25 have little to no time to incorporate information obtained towards the  
26 close of fact discovery into their Rule 56 motions and would be unable to  
27 rely on expert disclosures in such motions.  
28

10. The Parties agree that it would aid in the adjudication of this matter, including by facilitating the filing of Rule 56 motions capable of resolving the maximal number of issues prior to trial, if the Case Schedule were modified to (i) allow a modest amount of additional time for the Parties to complete fact depositions with the benefit of additional to-be-produced document discovery and (ii) slightly extend the deadline to file Rule 56 motions to allow adequate time for incorporation into Rule 56 motions of both information obtained in fact discovery and expert disclosure.

11. Good cause exists to amend the Case Schedule as requested in the accompany Joint Stipulation to Modify Case Schedule.

12. The Parties have made no previous requests for continuances of any dates contained in the Case Schedule.

13. The schedule proposed in the accompanying Joint Stipulation to Modify Case Schedule is not intended to delay the proceedings, requires no alterations to the Court's existing trial-related dates, and will not prejudice any party.

14. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 2<sup>nd</sup> day of July, 2025, at New York, New York,

/s/ Adam M. Greene  
Adam M. Greene